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**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA

Civil Action No.: 11-10973

Plaintiff,

HON. JOHN CORBETT O'MEARA

v.

ANN C. SHARKEY  
SSN: \*\*\*-\*\*-7066

Defendant.

and,

STATE OF MICHIGAN, STATE INCOME TAX,

Garnishee.

\_\_\_\_\_  
SHERMETA, ADAMS & VON ALLMEN, P.C.  
BY: DEBORAH A. WINSLOW (P63179)  
Attorneys for Plaintiff  
P.O. Box 80883  
Rochester, MI 48308  
(248) 519-1700  
\_\_\_\_\_

**FILED**  
**OCT - 9 2012**  
**CLERK'S OFFICE**  
**BAY CITY**

**WRIT OF CONTINUING GARNISHMENT**

GREETINGS TO: STATE OF MICHIGAN, STATE INCOME TAX  
Michigan Department of Treasury  
Third Party Withholding Unit  
P.O. Box 30785  
Lansing, MI 48909

An application for a Writ of Garnishment against the property of Ann C. Sharkey, Defendant, has been filed with this Court. A judgment has been entered in the above captioned case and there is presently owing the amount of \$107,704.70, including costs and interest, computed through October 9, 2012 from Defendant. The United States is represented by SHERMETA, ADAMS & VON ALLMEN, P.C., by DEBORAH A. WINSLOW, P.O. Box 80883, Rochester, MI 48308.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control or possession, any property owned by the debtor, including non-exempt, disposable earnings.

You must file the original written answer to this writ within ten (10) days of your receipt of this writ with the United States District Clerk at: Theodore Levin United States Courthouse, 5th Floor, 133 Federal Building, 231 W. Lafayette, Detroit, Michigan, 48226. Additionally, you are required by law to serve a copy of this writ upon the debtor at 2160 Village West Dr. S., Lapeer, MI 48446-1632 and upon the counsel for the Plaintiff, SHERMETA, ADAMS & VON ALLMEN, P.C., P.O. Box 80883, Rochester, MI 48308. Filing and service may be accomplished by using the United States mail.

Under the law, there may be property which is exempt from this Writ of Garnishment. Property which is exempt and which is not subject to this order is listed on the attached Claim for Exemption form. All non-exempt property belonging to Ann C. Sharkey, including but not limited to twenty-five (25%) of the non-exempt disposable earnings owed to Ann C. Sharkey, must be withheld from Ann C. Sharkey and retained by you pending further order of the Court.

Pursuant to 15 U.S.C. §1674, Garnishee, STATE OF MICHIGAN, STATE INCOME TAX, is prohibited from discharging the defendant from employment by reason of the fact that his/her earnings have been subject to garnishment for any one indebtedness.

If you fail to answer this writ or withhold property in accordance with this writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this writ, the Court may enter a judgment against you for the value of the debtor's

non-exempt property. It is unlawful to pay or deliver to the defendant any item attached by this writ. Additionally, you may be held liable for a reasonable attorney's fee to the United States of America. Questions are to be directed to counsel for Plaintiff, SHERMETA, ADAMS & VON ALLMEN, P.C., P.O. Box 80883, Rochester, Michigan 48308.

DAVID J. WEAVER  
UNITED STATES DISTRICT COURT CLERK  
EASTERN DISTRICT OF MICHIGAN

By:   
Deputy Clerk

Dated:

10/9/12

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UNITED STATES OF AMERICA

Civil Action No.: 11-10973

Plaintiff,

HON. JOHN CORBETT O'MEARA

v.

ANN C. SHARKEY

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Defendant.

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STATE OF MICHIGAN, STATE INCOME TAX,

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\_\_\_\_\_  
SHERMETA, ADAMS & VON ALLMEN, P.C.

BY: DEBORAH A. WINSLOW (P63179)

Attorneys for Plaintiff

P.O. Box 80883

Rochester, MI 48308

(248) 519-1700  
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**CLERK'S NOTICE OF GARNISHMENT**

You are hereby notified that a garnishment is being taken by the United States of America which has a judgment in Case No., 11-10973, in the United States District Court for the Eastern District of Michigan, Southern Division. A balance of \$107,704.70 remains outstanding on the Judgment.

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if Ann C. Sharkey can show that the exemptions apply. Attached is a summary of the major exemptions which apply in Michigan.

The exemptions that apply are those of the state where you have resided in the last 180 days. You have a right to ask the Court to apply any exemption to which you feel you are entitled or if you question this garnishment.

You have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it claims you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing.

If you wish, you may use this notice to request the hearing by completing the attached "Debtor's Hearing Request" form. You must either mail it or deliver it in person to the Clerk of the United States District Court, Theodore Levin United States Courthouse, 5th Floor, 231 W. Lafayette, Detroit, Michigan 48226. You must also send a copy of your request to Counsel for Plaintiff, SHERMETA, ADAMS & VON ALLMEN, P.C., P.O. Box 80883, Rochester, Michigan 48308 notifying the Plaintiff that you want a hearing date.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing you may explain to the judge why you think the Government is not entitled to the funds garnished.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the clerk of the Clerk of the Court at Theodore Levin United States Courthouse, 5th Floor, 231 W. Lafayette, Detroit, Michigan

48226. You must also send a copy of your request to counsel for the Plaintiff, SHERMETA, ADAMS & VON ALLMEN, P.C., P.O. Box 80883, Rochester, Michigan 48308. Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the Clerk of the Court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

DAVID J. WEAVER  
CLERK, UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

By:   
Deputy Clerk

Dated: 10/9/12